

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	07-00276-01-CR-W-HFS
TAURUS TERRELL THOMAS,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On August 13, 2007, counsel for Defendant filed a motion pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency (Doc. No. 18). Defendant was examined by Dr. Ron Nieberding, Ph.D., licensed clinical psychologist, who prepared a report dated November 15, 2007.

On November 19, 2007, I held a competency hearing. Defendant was present, represented by appointed counsel Steve Moss. The government was represented by Paul Becker. During the hearing, both parties stipulated to the contents and findings contained in Dr. Nieberding's report (Tr. at 2) and waived the ten-day objection period to this report and recommendation (Tr. at 3).

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that Defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent to stand trial and to assist in his defense.

/s/ Robert E. Larsen

ROBERT E. LARSEN

United States Magistrate Judge

Kansas City, Missouri

November 27, 2007